

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DARNELL MCGARY,
Plaintiff,
v.
RONALD CULPEPPER,
Defendant

Case No. CV05-5376RBL

**ORDER GRANTING
APPLICATION TO
PROCEED IN FORMA
PAUPERIS ON APPEAL**

This matter comes before the Court on Plaintiff's motion to proceed *in forma pauperis* on appeal [Dkt. #12]. The court has considered the pleadings filed in support of the motion and the file herein.

Under 28 U.S.C. § 1915, any court of the United States may authorize the commencement, prosecution or defense of any suit, action or proceeding, civil or criminal, or appeal therein without prepayment of fees or security therefore.

A review of the documentation defendant has submitted shows that Plaintiff is unable to pay the filing fee at this time, and the motion to proceed *in forma pauperis* on appeal should be granted. However, Plaintiff is responsible for the full amount of the filing fee, under the requirements set forth in 28 U.S.C. § 1915(b).

Therefore, it is hereby

ORDERED that Plaintiff's motion to proceed *in forma pauperis* on appeal is **GRANTED**.

The Clerk is directed to send uncertified copies of this Order to all counsel of record and to any party appearing *pro se* at said party's last known address.

DATED this 19th day of October, 2005.

Ronald B. Leighton
RONALD B. LEIGHTON
UNITED STATES DISTRICT JUDGE